

Idaho State Department of Agriculture
02.04.27 Rules Governing Deleterious Exotic Animals
July 15, 2013@ 10:00 a.m.
Scott Leibsle, Facilitator

Present: Scott Leibsle, ISDA; Debra Lawrence, ISDA; Sean Costello, OAG/ISDA; Angel O'Brien, ISDA; Mark Drew, IDFG;

AGENDA ITEMS

WELCOME

Scott Leibsle convened the meeting at 10:00 a.m. The purpose of the negotiated rulemaking meeting is to remove the Barbary Sheep and Mouflon Sheep from the deleterious exotic animal list because the animals are ubiquitous in Idaho and the petitioner does not see the need to have them included on the list.

Mark Drew stated that the big point of the discussion should be the distinction between Barbary sheep and Barbados sheep. Barbary sheep are Northern African species. They are not a goat. They are not a sheep. Barbados is a Caribbean hair sheep and they are very common in Idaho. Mr. Drew does not think there are any Barbary sheep in Idaho. They are in Texas and in New Mexico and some other place. The first issue is what animals are we actually talking about? Mouflon is understandable.

Dr. Leibsle asked Dr. Lawrence if they had records of anybody owning Barbary sheep in the State of Idaho.

Dr. Lawrence answered no.

Mr. Costello asked if we know the reason for the initial listing of the Barbary sheep on the deleterious exotic animal list.

Dr. Leibsle replied that the intent was because Golightly has Mouflon, and he looked at them both and said let's get rid of them both. Dr. Leibsle stated that Mark's recommendation would be you are lacking justification for removing Barbary from the list.

Mr. Drew replied if that is really the species we are talking about. Fish and Game's concern is the reason they are on the list is because of some pretty severe habitat issues which is why there was suggestion to put them on the list. The concern with Mouflon is hybridization. There reason they are on the list is because of all the hybrids. The concern would be if they come off the list, from a Fish and Game standpoint, who has jurisdiction over them? If they aren't on the deleterious exotic animal list then by default do they fall back to Fish and Game?

Dr. Leibsle replied that the sheep and goat board would have full responsibility.

Mr. Drew stated that they are not defined as sheep. Barbary is not a sheep.

Dr. Leibsle stated that as far as Barbary is concerned, he will clarify that with Stan. It is a reasonable request to see if we can keep Barbary on the list. As far as the Mouflon are concerned, the sheep and goat board would have jurisdiction over any Mouflon or Mouflon hybrids to govern.

Mr. Drew stated he would have an issue with that. Since they are a wild species origin, but they are already here. Given the verocity of fences where some of these are located. The ability to round them up and bring them in. That's a concern.

Dr. Leibsle asked Mr. Drew if they were to be de-listed, does Fish and Game want them back?

Mr. Drew answered that could be negotiated.

Dr. Leibsle stated historically speaking I think that most animals that are domestically hunted, fall under us. This would be a case, you guys would have jurisdiction for a potentially hunted domestic animal.

Mr. Drew stated that's one of our concerns. The issues for us are inside versus outside the fence and how do we deal with that? We are an outside the fence agency. If this species is going back to us like they were originally, how do we deal with them inside the fence?

Mr. Costello asked if that is the case for any domestic sheep?

Mr. Drew answer no, not for all of them.

Mr. Costello stated that Stan is claiming they are so prevalent in Idaho that they are just like any other domesticated sheep.

Mr. Drew stated Barbados sheep, yes. Mouflon, no. By traveling around the state you can see Barbados, most of them are black belly and are very common. Mouflons are not very common in the state. If you take them off the list, what do we do about Olsen? He's grandfathered in for his European wild boar and mouflons. Does that mean Richard can sell anything he wants anywhere?

Dr. Leibsle stated he thinks that's exactly what the intent was. These animals can be hunted and traded at will. They would be lump in with domestic sheep. Mark, are there Mouflon sheep running around in Idaho?

Mr. Drew answered not in Idaho. There are feral mouflons in the southwest.

Mr. Costello asked Mr. Drew if Fish and Game consider them a wild species?

Mr. Drew answer the original mouflon sheep is the wild native sheep to the middle east.

Dr. Lawrence asked if fish and game wrote a DEA permit for Olsen.

Mr. Drew answered no, you guys did.

Mr. Costello asked when was this.

Mr. Drew answered when the rule came into place.

Dr. Leibsle stated that you have domestic cervids and wild cervids. The sheep and goat board would need to take control of the domestic mouflon. If we could set up a split jurisdiction so someone just can't pluck a wild mouflon out of the hills. Would that be something that fish and game would be willing to entertain.

Mr. Drew answered that they can at least talk about it. Our concern is anything that detracts from the viable sheep population is an issue. It's why they are on the DEA list. If they go off the DEA list, that concern does not go away. That concern heightens a little bit if we lose the ability to monitor who has what, where and when. If Mouflon are categorized as domestic sheep under estray law, how does the estray law enter into all this.

Dr. Leibsle stated it was his understanding that the estray law identifies animals by species and I thought sheep was one of them.

Mr. Drew stated at least with the domestic cervidae, we have them inventoried. I don't know how you would round them up.

Dr. Leibsle asked Mr. Drew what are your concerns?

Mr. Drew stated mostly hybridization and competition and disease would enter into it. The big questions are jurisdiction, how we classify them. Mr. Drew asked what's wrong with leaving them on the list? Is that something that's too restrictive? They are outside the fence. So are a bunch of other things? Do we want to go down that route?

Dr. Leibsle the answer is yes to all of those. They think it's too restrictive, they are already here, why are you guys regulating something that is not as common as a house cat but almost.

Dr. Leibsle stated if they want these new animals domestically hunted, I would want them inventoried and assessed. Right now Golightly has a DEA permit, they're hunting these Mouflon.

Dr. Lawrence asked if it was more logical to stick them on the domestic cervidae rule.

Mr. Costello stated that ISDA doesn't have the authority to do that. You've got the sheep and board commission out there that have pretty clear authority to do that. So they would have to implement their own rules similarly.

Dr. Leibsle stated he will talk to Stan. If sheep and goat board were establish a hunting rule, targeted animals, to mirror our domestic cervids. He wants to run all this past Bill.

Mr. Drew asked what happens if the sheep and goat commission doesn't do anything with this? Does the rule change automatically?

Dr. Leibsle answered absolutely not. If he chooses not to want to address that, and we'll go before the legislature and you can comment during the open session. I think his intent was to have Mouflon revert to the sheep and goat board.

Mr. Drew's concerns are: Hybridization with native big horns, habitat, competition, disease, behind the fence versus open range. We need to define it. What does that mean?

Mr. Drew stated that the other issue is the whole Barbary thing. Is that really what they mean.

Dr. Leibsle stated his guess is that it's not. Bill's gone this week and we'll get together with Stan and I will get back with you.

Mr. Drew stated he would get written comments to Dr. Leibsle.

Mr. Leibsle adjourned the meeting at 10:45 a.m.

Respectfully submitted by Angel O'Brien